

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

GARY EUGENE SEACHRIST	:	CIVIL ACTION
	:	
v.	:	
	:	
WILLIAM TILLMAN, et al.	:	No. 05-04996-JF

MEMORANDUM AND ORDER

Fullam, Sr. J.

May 8, 2006

The *pro se* plaintiff, Gary E. Seachrist, is suing various institutional defendants, parole officers, and a private attorney. Plaintiff alleges that his parole was revoked and he was imprisoned for violating the terms of his parole by using cocaine, but that the evidence against him was falsified (the urine sample was switched or tainted) as a result of conspiracy among the officials involved. They were motivated by a desire to retaliate against him for having filed previous charges against them. Plaintiff is also suing his lawyer for malpractice in connection with the parole revocation hearings. In support of his amended complaint, plaintiff has filed a motion for summary judgment, including numerous affidavits and declarations tending to support his claims.

Accepting at face value the documents and transcripts submitted by plaintiff, some of plaintiff's claims may well have merit. Unfortunately, however, he has waited too long to assert them. Plaintiff sustained the injuries alleged in 2002. And, assuming that his causes of action did not mature until he had

completed exhausting his administrative remedies, it is clear that, at the very latest, the limitations period began to run in May 2003. Plaintiff did not file this lawsuit until September 20, 2005, more than two years later.

Since plaintiff's complaint, on its face, discloses that it is time-barred, this action must be dismissed. 28 U.S.C. § 1915(e)(2); see Sameric Corp. of Delaware, Inc. v . City of Philadelphia, 142 F.3d 582, 599 (3d Cir. 1998).

An Order follows.

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ORDER

AND NOW, this 8th day of May 2006, IT IS ORDERED:

1. Plaintiff's motion for summary judgment is
DISMISSED.
2. This action is DISMISSED with prejudice, as time-
barred. The Clerk is directed to close the file.

BY THE COURT:

/s/ John P. Fullam
John P. Fullam, Sr. J.